

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
CHATTANOOGA

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 1:24-CR-82

JAMES C. THOMPSON,

Defendant,

and

PACIFIC PREMIER BANK,
aka PACIFIC PREMIER TRUST,

Garnishee.

WRIT OF GARNISHMENT

TO: Pacific Premier Bank
aka Pacific Premier Trust
Attn: Legal Operations
17901 Von Karman Ave.
Ste 1200
Irvine, CA 92614

An application for a Writ of Garnishment against James C. Thompson, defendant, has been filed with this Court to satisfy an unpaid judgment for a fine in the amount of \$250,000.00, and a special assessment of \$400.00. The current principal amount due on this judgment is \$250,400.00 as of June 30, 2025. Interest does not accrue on this debt.

You are required by law to answer in writing, under oath, within ten (10) days, whether or not you have in your custody, control, or possession any property owned by the debtor, James C. Thompson. You are required to **withhold and retain** any property in which the debtor has a substantial nonexempt interest and for which you are or may become indebted to the judgment debtor pending further order of the court.

You must file the original written answer to this Writ within ten (10) days of your receipt of this Writ with LeAnna R. Wilson, Clerk, United States District Court, 900 Georgia Ave, Suite 309, Chattanooga, TN 37402. Additionally, you are required by law to serve a copy of your Answer upon the debtor, whose last known address is FCI Memphis, BOP # 19022-511, PO Box 34550, Memphis, TN 38184, and upon Daniel P. Nugent, Assistant U.S. Attorney, 800 Market Street, Suite 211, Knoxville, TN 37902. Under the law, there may be property which is exempt and not subject to this order as listed on the enclosed Claim for Exemptions Form.

If you fail to answer this Writ or withhold property in accordance with this Writ, the United States of America may petition the Court for an order requiring you to appear before the Court. If you fail to appear or do appear and fail to show good cause why you failed to comply with this Writ, the Court may enter a judgment against you for the value of the debtor's nonexempt, disposal earnings. It is unlawful to pay or deliver to the defendant any item attached by this Writ.

Dated this _____ day of _____, 2025.

LEANNA R. WILSON, CLERK
UNITED STATES DISTRICT COURT

By: _____
Deputy Clerk

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**NOTICE TO DEFENDANT DEBTOR ON HOW TO CLAIM EXEMPTIONS, HOW TO
OBJECT TO GARNISHEE'S ANSWER, AND HOW TO REQUEST A HEARING**

You are hereby notified that a garnishment is being sought by the United States of America,
which has a judgment against you as indicated:

Court No.:	1:24-CR-82
Amount of Judgment:	\$250,400.00
Interest:	Interest does not accrue on this debt.
Amount Paid:	\$0.00
Unpaid balance:	\$250,400.00
As of:	June 30, 2025
Nature of Debt:	Fine and special assessment

The attached pre-judgment or post-judgment process has been issued on request of the
United States of America.

The law provides that certain property and wages cannot be taken. Such property is said to be exempted. There is no exemption solely because you are having difficulty paying your debts. Attached is a list of exemptions under federal law.

If you claim an exemption, you should (i) fill out the attached Claim for Exemption Form and (ii) deliver or mail the form to the United States District Court, 900 Georgia Ave, Suite 309, Chattanooga, TN 37402, and to counsel for the United States, Daniel P. Nugent, Assistant United States Attorney, 800 Market Street, Suite 211, Knoxville, Tennessee 37902. You have a right to a hearing within five business days, or as soon as practicable, from the date you file your claim with the Court.

If you are **James C. Thompson**, you have a right to ask the court to return your property to you if you think you do not owe the money to the plaintiff that it claims you do.

If you want a hearing, you must notify the court within twenty (20) days after receipt of the notice. Your request must be in writing.

If you wish, you may use this notice to request a hearing by checking in the space below. You must either mail it or deliver it in person to the United States District Court, 900 Georgia Ave, Suite 309, Chattanooga, TN 37402. You must also send a copy of your request to Daniel P. Nugent, Assistant United States Attorney, 800 Market Street, Suite 211, Knoxville, Tennessee 37902, so the government will know you want a hearing.

The hearing will take place within five (5) working days after the Clerk receives your request, if you ask for it to take place that quickly, or as soon after that as possible.

On the day of the hearing, you should come to court ready to explain why your property is exempted, and you should bring any documents which may help you prove your case. If you do not come to court at the designated time and prove that your property is exempt, you may lose some of your rights.

At the hearing you may explain to the judge why you think that you do not owe the money to the government or why you think that the property which the government is taking qualifies for an exemption. You should bring to court any documents which may help to prove your case.

If you think you live outside the federal judicial district in which the court is located, you may request, not later than twenty (20) days after you receive this notice, that this proceeding to take your property be transferred by the court to the federal judicial district in which you reside. You must make your request in writing, and either mail it or deliver it in person to the United States District Court, 900 Georgia Ave, Suite 309, Chattanooga, TN 37402. You must also send a copy of your request to Daniel P. Nugent, Assistant United States Attorney, 800 Market Street, Suite 211, Knoxville, Tennessee 37902, so the government will know you want the proceeding to be transferred.

Garnishee, **Pacific Premier Bank, aka Pacific Premier Trust**, is required to file a written answer to the Writ of Garnishment with the Court. If you disagree with the Answer submitted by Garnishee you may submit a written objection and request a hearing. This objection must be received by the United States District Court Clerk, 900 Georgia Ave, Suite 309, Chattanooga, TN 37402 within twenty (20) days from the date that you receive a copy of the Answer. You must send a copy of your objection and request for hearing to Garnishee, and Daniel P. Nugent, Assistant U.S. Attorney, 800 Market Street, Suite 211, Knoxville, Tennessee 37902, so that each will know that you have an objection. In your written objection you must explain why you disagree with the Answer, and you will have the burden of proving these reasons at a hearing. The court will hold a hearing within ten (10) days after your request is received or as soon after that as possible. On the day of the hearing, you should come to court ready to explain your objection to the Answer. You should bring any documents which may help you prove your case.

Be sure to keep a copy of this notice for your own records. If you have any questions about your rights or about this procedure, you should contact a lawyer, an office of public legal

assistance, or the clerk of the court. The clerk is not permitted to give legal advice but can refer you to other sources of information.

Dated this ____ day of _____, 2025.

LEANNA R. WILSON, CLERK
UNITED STATES DISTRICT COURT

By: _____
Deputy Clerk

Defendant's Request for Hearing

Defendant herein hereby requests a hearing because:

_____ I do not believe I owe the Government the amount of money indicated in the Writ of Garnishment.

_____ I believe the property the Government is taking qualifies under the exemption(s) # _____ attached.

The statements made in this Claim for Exemptions and Request for Hearing as to exemption entitlement and fair market value of the property designated are made and declared under penalty of perjury that they are true and correct.

Signed: _____
James C. Thompson
1:24-CR-82

CLAIM FOR EXEMPTION FORM
EXEMPTIONS UNDER FEDERAL LAW (18 U.S.C. § 3613)

NOTE: 18 U.S.C. § 3613(a), the federal statute governing liens arising from criminal fines and restitution obligations, generally incorporates the exemptions available to individual taxpayers under the Internal Revenue Service Code.

I claim that the exemption(s) from the levy which are checked below apply in this case:

- ☐ 1. Wearing apparel and school books.--Such items of wearing apparel and such school books as are necessary for the debtor or for members of his family.
- ☐ 2. Fuel, provisions, furniture, and personal effects.--So much of the fuel, provisions, furniture, and personal effects in the Debtor's household, and of the arms for personal use, livestock, and poultry of the debtor, as does not exceed \$11,710 in value.
- ☐ 3. Books and tools of a trade, business, or profession.--So many of the books, and tools necessary for the trade, business, or profession of the debtor as do not exceed in the aggregate \$5,860 in value.
- ☐ 4. Unemployment benefits.--Any amount payable to an individual with respect to his unemployment (including any portion thereof payable with respect to dependents) under an unemployment compensation law of the United States, of any State, or of the District of Columbia or of the Commonwealth of Puerto Rico.
- ☐ 5. Undelivered mail.--Mail, addressed to any person, which has not been delivered to the addressee.
- ☐ 6. Certain annuity and pension payments.--Annuity or pension payments under the Railroad Retirement Act, benefits under the Railroad Unemployment Insurance Act, special pension payments received by a person whose name has been entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor roll (38 U.S.C. § 1562), and annuities based on retired or retainer pay under Chapter 73 of Title 10 of United States Code.
- ☐ 7. Workmen's Compensation.--Any amount payable with respect to compensation (including any portion thereof payable with respect to dependents) under a workmen's compensation law of the United States, any State, the District of Columbia, or the Commonwealth of Puerto Rico.
- ☐ 8. Judgments for support of minor children.--If the debtor is required by judgment of a court of competent jurisdiction, entered prior to the date of levy, to contribute to the support of his minor children, so much of his salary, wages, or other income as is necessary to comply with such judgment.

- _____ 9. Certain service-connected disability payments.--Any amount payable to an individual as a service-connected (within the meaning of section 101(16) of Title 38, United States Code) disability benefit under--(A) subchapter II, III, IV, V, or VI of Chapter 11 of such Title 38 or (B) Chapter 13, 21, 23, 31, 32, 34, 35, 37, or 39 of such Title 38.
- _____ 10. Assistance under Job Training Partnership Act.
--Any amount payable to a participant under the Job Training Partnership Act (29 U.S.C. 1501 et seq.) from funds appropriated pursuant to such Act.
- _____ 11. Minimum exemptions for wages, salary and other income. The exemptions under 26 U.S.C. § 6334(a)(9) do not apply in criminal cases. The exceptions under the Consumer Credit Protection Act, 15 U.S.C. § 1673, for disposable earnings, automatically apply and do not need to be claimed. The maximum wage garnishment of an individual for any workweek which is subjected to garnishment may not exceed (1) 25 % of his disposable earnings for that week, or (2) the amount by which his disposable earnings for that week exceed thirty times the Federal minimum hourly wage in effect at the time the earnings are payable, whichever is less.

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**INSTRUCTIONS TO THE GARNISHEE:
WRITTEN ANSWER REQUIRED**

Attached is a Writ of Garnishment requesting that you determine whether or not you have in your possession, custody or control, any of the property of the debtor listed therein, or any other property of the debtor. You are required by law to serve a written answer to this writ within ten (10) days of your receipt of this writ. If you wish, you may use the attached Affidavit and Answer. You are not required to use the form Affidavit and Answer. If you use the form Affidavit and Answer, please fill out the information completely and send the original to the Clerk of Court as directed in the Writ of Garnishment. Copies of your answer must be mailed to the United States Attorney's Office and the judgment debtor-defendant.

You are further required to withhold and retain any property in which the debtor has a substantial nonexempt interest, pending further court order. For a list of the exemptions which are not subject to the Writ of Garnishment, please refer to the attached Claim for Exemptions Form.

IF YOU FAIL TO ANSWER THIS WRIT OR TO WITHHOLD PROPERTY IN ACCORDANCE WITH THE WRIT, THE COURT MAY MAKE YOU LIABLE FOR THAT AMOUNT OF THE DEBTOR'S NONEXEMPT PROPERTY WHICH YOU FAILED TO WITHHOLD. ADDITIONALLY, YOU MAY BE HELD LIABLE FOR A REASONABLE ATTORNEY'S FEE TO THE UNITED STATES OF AMERICA IF THE UNITED STATES FILES A PETITION TO THE COURT REQUESTING AN EXPLANATION FOR YOUR FAILURE TO COMPLY WITH THIS WRIT.

DO NOT SEND THIS MONEY TO THE UNITED STATES ATTORNEY'S OFFICE OR THE UNITED STATES DISTRICT COURT CLERK AT THIS TIME. THE FEDERAL DEBT COLLECTION PROCEDURES ACT REQUIRES THAT THE GARNISHEE WITHHOLD SUCH MONEY PENDING THE ISSUANCE OF THE FINAL ORDER. WHEN A FINAL ORDER IS ISSUED IN THIS MATTER, YOU WILL BE SERVED WITH A COPY OF THAT ORDER WITH INSTRUCTIONS AS TO WHERE TO SEND THE GARNISHMENT PAYMENTS.

If you have any additional questions, please call or write:

Daniel P. Nugent
Assistant U.S. Attorney
U.S. Attorney's Office
800 Market Street, Suite 211
Knoxville, TN 37902
Telephone No. (865) 545-4167

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- _____ 10. Assistance under Job Training Partnership Act.
--Any amount payable to a participant under the Job Training Partnership Act (29 U.S.C. 1501 et seq.) from funds appropriated pursuant to such Act.
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aka PACIFIC PREMIER TRUST,

Garnishee.

**AFFIDAVIT AND
ANSWER OF THE GARNISHEE**

Comes the undersigned Affiant, who after being duly sworn, states:

1. The Garnishee is a(n): (choose one)

_____ proprietorship, _____ partnership, _____ individual,

_____ corporation _____ limited liability company (LLC)

_____ other business entity known as _____

organized under the laws of _____ (state).

2. The Writ of Garnishment was served by the United States Marshal on _____, 2025.

3. Does the Garnishee have custody, control or possession of property (including but not limited to nonexempt, disposal earnings; pension; 401k; profit sharing; and/or retirement accounts) in which the debtor has a substantial nonexempt interest?

___ Yes ___ No

4. If so, please describe such property and provide the value of such interest:

5. If there are superior (earlier) garnishments on the property, please describe each garnishment and the extent to which any remaining property is not exempt:

6. The social security number and name of the Judgment Debtor (“Customer, Member, or Employee”) is:

Name: _____ SSN: (last 4 digits) _____

7. The Garnishee has custody, control or possession of the following property (non-earnings), in which the Debtor maintains an interest, as described below:

<u>Description of Property</u>	<u>Approximate Value</u>	<u>Description of Debtor's Interest in Property</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

8. Garnishee anticipates owing to the judgment-debtor in the future, the following amounts:

<u>Amount</u>	<u>Estimate date or Period Due</u>
\$ _____	_____
\$ _____	_____
\$ _____	_____

9. Check the applicable line below if you deny that you hold property subject to this order of garnishment.

___ The Garnishee makes the following claim of exemption on the part of Defendant:

___ The Garnishee has the following objections, defenses, or set-offs to Plaintiff's right to apply Garnishee's indebtedness to Defendant upon Plaintiff's claim:

___ As of the receipt of the Writ and as of the date of this Answer, the Garnishee was/is in no manner and upon no account indebted or under liability to the Defendant and the Garnishee did/does not have in its possession or control any property belonging to the Defendant, or in which the Garnishee had/has an interest; and was/is in no manner liable as Garnishee in this action.

10. Original of this answer has been mailed to:

LeAnna R. Wilson, Clerk
United States District Court
for the Eastern District of TN
900 Georgia Ave, Suite 309
Chattanooga, TN 37402

11. Copies of this answer have been mailed to:

James C. Thompson
FCI Memphis
BOP# 19022-511
PO Box 34550
Memphis, TN 38134

and to:

Daniel P. Nugent
Assistant United States Attorney
800 Market Street, Suite 211
Knoxville, TN 37902

Signature of Garnishee on Next Page

Affiant

Position/Title

STATE OF _____
COUNTY OF _____

Subscribed and sworn to before me

this ____ day of _____, 20____.

My commission expires: _____

Notary Public